

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff(s),

v.

DECISION AND ORDER
09-CV-6543L

ONE 2000 MERCEDES BENZ BEARING VIN
WDBLJ70G0YF127256,

Defendant(s).

This Court referred pretrial motions to United States Magistrate Judge Jonathan W. Feldman pursuant to 28 USC § 636. The government seized the above-referenced Mercedes Benz on the grounds that it facilitated illegal drug activity. The vehicle was seized from Kenny Dejesus but Department of Motor Vehicle records established that the vehicle was registered to a Limarie Dominicci. Ms. Dominicci was given notice of this action but failed to properly file an answer to the complaint. The matter before the Court is Dominicci's motion for an extension of time to file an answer.

Magistrate Judge Feldman issued a thorough Report and Recommendation discussing the particular facts of the case and the relevant law concerning such in rem forfeitures. As pointed out by the Magistrate Judge, the purported claimant, Dominicci has not taken any significant action on this case. To this date she has failed to file a proposed answer even though many months have elapsed.

Magistrate Judge Feldman issued his Report and Recommendation, recommending that the motion for an extension be denied and no response of any kind has been filed objecting to that recommendation.

Therefore, I accept and adopt the Report and Recommendation of United States Magistrate Judge Jonathan W. Feldman. I see no reason to modify or change that recommendation and, for the reasons stated in that Report and Recommendation, I deny the motion for an extension of time to file an answer to the complaint (Docket # 6).

IT IS SO ORDERED.

A handwritten signature in cursive script, reading "David G. Larimer".

DAVID G. LARIMER
United States District Judge

Dated: November 3, 2010
Rochester, New York